

## HOUSE COMMITTEE ON ELECTIONS

Hearing Date: April 15, 2021 8:00 AM

Printed on: April 21, 2021 5:26 PM

COMMENTS FOR: HB 1812

---

Arthur Thomas IV

self / programmer

Live Oak, TX

The special fees are already applied only to convention party nominees and this only further discourages people for participating in government. This money already does not go to reimburse the party, candidates, on conventions involved but to the state treasury. The fees in primary parties do not go to the state general fund but to help offset costs of primaries. They also can seek many reimbursements. The entirety of cost to run a convention party is on those parties themselves. This does nothing but further add a cost burden to make it harder to run for office and remove choice from Texas voters. This laws is a further bad extension of a bad law that does not serve Texas voters. It only serves the primary parties in power. Please protected a principled government and do not use the lawmaking process to try to stop ballot options for Texas voters.

---

Patrick Mitchell

Libertarian Party of Texas

Victoria, TX

This Bill would make things unfair for non primary party candidates. Filling fees go to pay for the primaries that those parties participate in. If candidates from convention parties have to pay these fees as well, then they will be paying for something they are not participating in at all.

---

Paul Bilyeu

Self

Houston, TX

Paul Bilyeu representing myself. I am a two time Libertarian candidate for State House District 135; current Treasurer of the Harris County Libertarian Party (HCLP); former Vice Chair of the HCLP.; Libertarian Party Lifetime member.

I comment in opposition to this bill.

This legislation, and its predecessor, is a clear attempt by the two major parties to censor ballots in Texas. Third party candidates give several million Texas voters a voice they would not otherwise have in Texas. Both parties mistakenly believe third party voters will suddenly decide to vote for their parties if their preferred is not on the ballot. This is simply not true. No Republican or Democrat can produce a single shred of evidence that removing a third party candidate from the ballot would have turned an election around for their teams candidate. It is all based on feel and not fact.

While primary party candidates do pay a filing fee to appear on their primary ballots, those fees do NOT go to the general fund. Instead, as I understand it, the filing fee funds are used to offset the expense of primary elections around the state. Third parties use their own funds to complete their state required nominating conventions. There is NO burden to the taxpayer for third parties to be on the ballot in Texas. None. These proposed filing fees for candidates nominated by convention would go to the general fund and amount to nothing more than a poll tax since those funds will NOT be used to offset the expense of third party nominating conventions. If passed in its current state, there will be litigation and the state of Texas will once again lose, as they did this last election season.

This is a bad bill introduced, like several others, to limit voter choice at the polls under the false belief that "those votes will now be ours". This just isn't true. I ask the committee to reject this effort to censor ballots in Texas. Vote NO on this bill as well as repeal prior legislation implementing a filing fee.

Respectfully,  
Paul Bilyeu

---

Andrew Amelang  
self - music school owner  
Brenham, TX

Notwithstanding the blatant misrepresentation in the caption on this bill, this has nothing to do with primary elections, and is aimed at convention parties. Unlike primary parties that receive money from the state that comes from their filing fees, convention parties get no such reimbursement, and this is simple suppression of third party candidates.

---

Joe White  
Self  
Houston, TX

This bill would create an undue burden on non-primary parties. The filing fees make sense for primary parties, since the state runs the primaries, and the fees help with the associated cost. Convention parties, by definition, do not hold primaries, so there is no election cost to the state.

---

Alexander Davis  
Libertarian Party of Texas  
Waco, TX

I strongly oppose this bill.

---

Nathan Watts, Mr  
Self, and as appointed County Coordinator of the Libertarian Party of Texas  
Houston, TX

I urge the honorable members of this committee to oppose HB 1812, which is mis-titled as "Relating to filing fees for certain candidates for office in primary elections." Since this bill amends Texas Election Code Sec. 181, it actually does not affect candidates in primary elections at all. Section 181 exclusively deals with political parties that nominate their candidates by conventions rather than through the primaries. While filing fees may be reasonable for candidates appearing on primary ballots, which incurs an administrative cost to the state, there is no cause for the state to collect filing fees from candidates seeking nomination from convention parties as the state does not provide any financial or administrative support to conduct these conventions. As written, this bill functions as a poll tax, adding unreasonable burden to candidates seeking nominations to run for public office.

---

Whitney Bilyeu  
Libertarian Party of Texas

Houston, TX

Once again, the Elections Committee demonstrates it cares not to hear from Texas voters by sneaking this hearing in without proper notice. We all know that certain members of this committee fear only for their political positions, and not the integrity of elections or avoiding Constitutional challenges to their haphazardly written legislation.

The authors and sponsors of HB1812 seek to make all candidates for public office pay a filing fee to the Secretary of State before even being nominated. For the old Parties, known as Primary Parties, this is considered standard, as their filing fees pay the expense of holding their primary elections, through which voters at-large select the R and D nominees for the general ballot.

Unlike Republicans and Democrats, third parties, like the Libertarian Party, are known as Convention Parties. This means we do not burden the public with the expense of nominating our candidates for the general ballot. We run self-funded conventions, paid through Party funds and/or Party members themselves.

Given that there is no financial burden placed on the public for the nomination process of Libertarian candidates, this bill creates a tax on our electoral process, without providing any benefit or resource whatsoever to us or the public. Fees paid by Libertarian candidates would go into the General Fund, which is the pool from which primary elections are paid. Primary elections cost far more than the amount brought in by old primary party candidates. Thus, HB1812 seeks to tax third party candidates, along with their supporters, in order to subsidize Republican and Democrat nominations.

Texas voters overwhelmingly call for more, and better, choices on their ballots. This and other ballot access obstruction bills effectively ignore their calls for better representation, more legislative accountability, and less tyranny.

In the interest of free and fair elections, in what should be the freest state of all, I ask this committee's members to oppose HB1812.

---

Kasie Dailey

Kasie Dailey

Pearland, TX

I oppose this bill HB1812 as it is immoral to require convention party candidates to pay filing fees since those fees are supposed to cover the state's cost to put on primaries that convention party candidates don't even participate in. I oppose HB1812.

---

Rebekah Congdon

Self

Live Oak, TX

While this is being done in the name of making things fair and equal, it is transparent that the real intent is breaking any minor parties or competition that could possibly arise against Republican and Democrat candidates. The will of the people is made clear year after year and in poll after poll that the old parties do no longer represent the opinions of the majority of people and that we want more options -- more choice! And yet this bill and its sponsors are determined to ensure that the will of the people is squashed. While full war chests, billionaire backers, and in some cases even a representative's own oil-industry parents will provide any amount of money necessary to duopoly candidates for their fees, ads, parties, and hush money -- third party candidates must more honestly appeal to the good will of their voters for whatever small donations they might receive. This bill seeks to be the Sheriff of Nottingham to third parties' citizens of Nottingham by taking everything they have before they can even make any use of it in a campaign. This is shameful. If the members of this committee and the author of this bill feel they or their colleagues are in danger of defeat due to a third party candidate, then I for one suggest they learn what it is to be a representative of many people, and do that job, rather than seek to eliminate their competition.

I am wholeheartedly against this bill.

---

David Maldonado

Self

Wilson, TX

No candidate should have to pay filing fees in order to run for office. It was our founding fathers expectation that anyone who wants to run for public office, should be able to at any level of government. Requiring such fees prohibits that and only benefits the "rich" parties.

---

Kimberly Bridges Young

Self

Crp Christi, TX

Vote yes!

---

Brandi Spitzer

self

Port Aransas, TX

This is a distinctly political bill designed to keep the democrats and Republicans in power and to block opposition by the Libertarian and other growing non-duopoly parties. This is a direct attack on election integrity and I am beyond angry at the brazen arrogance of each of you who took our votes then set to work consolidating YOUR power.

Vote NO to corruption.

Vote NO to 1812.

---

katija gruene

Green Party of Texas

Austin, TX

Filing fees for primary candidates are to supplement the costs to the state for running primaries. The state does not incur costs associated with non-primary party nominating conventions therefore the filing fees for non-primary parties serve no legitimate purpose.

---

Michael Dooling

Self, Information Security Professional

Carrollton, TX

I strongly OPPOSE HB 1812

Ballot access is the initial freedom for Americans to be represented, in that diverse candidates are made available for all. Our legislature is supposed to REPRESENT the PEOPLE of Texas, \*not\* just the large, organized groups. HB 1812 increases the barrier for entry for additional choices, those of which add VOICES to a broader spectrum of the people. Raising the barrier to

entry is tyranny, just as King George did to our forefathers.

I oppose HB 1812 due to its suppression of voter choice and increase in tyranny against more Texans as the major parties continue to rush to the extremes, leaving normal Texas voters with no choice.

---

Shawn Huckabay

Self

CONVERSE, TX

It is unreasonable to expect convention parties to pay filing fees when they do not have state-funded primaries that the fees go towards. This doesn't solve an actual problem for the residents of Texas; it just makes it more difficult for anyone to compete against the two major parties.

---

Scott Peterson

Libertarian Party

Spring, TX

This bill should be opposed. It is harmful to the minority opinions. The wolves are voting to eat the sheep for dinner in pure democracy fashion. In a proper republic, minority opinions should be protected. This allows more diverse discussion and ideas. This bill will silence any other thought. There are more than 2 sides to any issue. Don't reduce the range of allowable opinion. Diversity is our strength.

---

Wesson Gaige

Green Party of Texas

Dallas, TX

Filing fees are supposedly used to defray the cost of elections. Primary Parties use the filing fees to help pay for the Primary process. Parties which Nominate by Convention are required to hold their Conventions using their own funds, not public funds. Filing fees for candidates of Parties that Nominate by Convention should either be eliminated or paid to the party as in SB2093.

---

JANIS REINKEN, ATTORNEY

SELF / ATTORNEY

AUSTIN, TX

HOUSE ELECTIONS COMMITTEE HB 1812 Hearing 04-15-21:

I oppose HB 1812 (Swanson) because it is unjustified. It looks innocuous because it's short. The caption says HB 1812 relates to "filing fees for certain candidates for office in primary elections." However, it takes out the wording about candidate filing fees now being collected by the Secretary of State (SOS) for the cost of running the General Election for State and County officers, and apparently would have the SOS collect the candidate fees and redirect them to the political parties for their cost in supporting the Primary Elections. It's important in this Bill to contrast the language being stricken from the current law with the new language being added. Currently, the law has the candidate pay a filing fee to the Secretary of State to appear on the ballot for a General Election for state or county officers. Apparently, this Bill makes that General Election filing fee go away. This raises the question, does HB 1812 create an additional filing fee to run in a Primary in order to be considered for nomination at a political party convention? Why would the Secretary of State receive a fee that allows a Primary Election candidate to participate in a political party event (convention), rather than collect a candidate's filing fee to qualify to be on a General Election ballot, which is a matter of state action and oversight? HB 1812 raises concerns about the lack of justification for this change requiring the

payment of a primary election filing fee to the Secretary of State in order for the state / county candidate to be considered for nomination by a convention, while eliminating the filing fee now required for a candidate to appear on the General Election ballot to run for a state or county office.

---

Elizabeth Miller

Libertarian Party of Texas SD 10, self

Bedford, TX

HB 1812 is an attack on all Texas voters and their ballot access. So please forgive my frankness.

Democrats and Republicans have realized that Libertarians (and Greens) often draw more than the difference between them. Electoral life sure would be easier without the nuisance of choice and competition, huh?

HB 1812 attempts to make minor parties pay for the major parties' expenses. It's a bald attempt at using finances to keep poor people and small parties off the ballot. The Supreme Court of Texas has specifically rejected such efforts as unconstitutional. The only reason candidate fees have been allowed by the Court is to keep an abundance of names off the general election ballot, but our convention process does that.

Major party candidate fees are justified by the fact that they help defray the costs of the big party primary process. None of those justifications applies to the fees expansion in this bill. This bill would apply the fees to convention parties and the fees would go to the general SOS fund. This attempt at eliminating the competition has no shred of a constitutional justification to hide behind.

This bill is a blatant attempt by members to limit members' competition on the ballot. Anyone who votes for it should be embarrassed. And apprehensive. Because I can assure you that, upon learning what's really going on here, Texans of every political stripe smell a rat. You'll hear about it.

The only redeeming factor about this bill is that, in my opinion, attempts to pass it will show the unconstitutional motivations behind the erosions to ballot access this body passed last session and will only help the minor parties' cases in the litigation of the 86th's attempts at stealing Texans' ballot access, which was already promising. This old Libertarian trial lawyer thinks you helped our case. Thanks!

Don't pass this inherently unfair power grab. But if you do, at least that challenge will be an excellent opportunity to show Texans your true colors.

---

Curry Taylor, Dr.

self, engineer

GARLAND, TX

House Members, I strongly oppose HB 1812. Third parties already have plenty of regulatory burdens above and beyond those of the two major parties and receive none of the benefits thereof when running for office. Filing fees are fundamentally unfair for parties which do not hold primaries, and this bill only seeks to worsen their impact by requiring even more parties to pay. I urge you to oppose this unjust legislation.

Thank you.

---

Jocelyn Pantke

Self

Arlington, TX

Non-primary candidates should not be required by law to pay filing fees. The filing fees are for candidates in the major two parties that require a primary. Parties that qualify for convention do not need filing fees. It's disenfranchising the residents of Texas that don't fit in the 2 party idealism. Filing fees go toward the cost for the primaries, the rest of the amount for the primary is subsidized by the state. It makes no sense for convention parties to be required to pay filing fees.

Do not pass this Bill.

---

Kathryn Williams

Self/retired

Austin, TX

Opposed

---

Kathryn Williams

Self.retired

Austin, TX

Opposed. It's unfair to third parties.

---